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Attorneys for Plaintiff  
BOVIS LEND LEASE, INC. as assignee of  
LNR-LENNAR BRANNAN STREET, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BOVIS LEND LEASE, INC., as assignee of  
LNR-LENNAR BRANNAN STREET, LLC,

Plaintiff,

vs.

MBH ARCHITECTS, INC. aka MCNULTY  
BRISKMAN HEATH and DOES 1 through 150,

Defendants.

MBH ARCHITECTS, INC., a/k/a McNULTY  
BRISKMAN HEATH,

Cross-Complainant,

vs.

LNR-LENNAR BRANNAN STREET, LLC,  
and ROES, 1 through 150, inclusive,

Cross-Defendants.

Case No. C 07-05262 JSW

**NOTICE OF SETTLEMENT  
AND ORDER THEREON**

Judge: Hon. Jeffrey S. White

Trial Date: April 20, 2009

TO THIS HONORABLE COURT IN THE ABOVE-ENTITLED MATTER:

Plaintiff BOVIS LEND LEASE, INC., as assignee of LNR-LENNAR BRANNAN STREET, LLC, and defendant MBH ARCHITECTS, INC., a/k/a McNULTY BRISKMAN HEATH, hereby provide notice to this Court that the parties reached a settlement in principle of all issues, claims and causes of action which are the subject of this action. The parties are currently cooperating in the preparation of a written settlement agreement. Pursuant to the terms of the settlement, this action will be dismissed with prejudice, in its entirety. In light of the settlement, we request that the Court vacate the Pre-Trial Conference and Trial dates.

DATED: April 3, 2009.

GORDON & REES, LLP

By S. Mitchell Kaplan

S. MITCHELL KAPLAN

Attorneys for Plaintiff BOVIS LEND LEASE, INC. as  
assignee of LNR-LENNAR BRANNAN STREET, LLC

April 6, 2009

In future appearances before this Court,  
the parties should submit such requests in  
the form of a stipulation and proposed  
order.

